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AND TRADEMARK OFFICE**

In re Application of Petras et al.

Serial No.: 09/782,873

Filed: 02-10-2001

For: System for creating and maintaining a  
database of information utilizing user opinions )

) Group Art Unit: 2162

) Examiner: ALAM, SHAHID AL

) Attorney Docket No: WC01520

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

***URGENT*****PETITION TO INVOKE THE SUPERVISORY AUTHORITY  
OF THE COMMISSIONER UNDER 37 CFR 1.181  
IN MATTERS NOT OTHERWISE PROVIDED FOR.  
TO WIT: REQUEST FOR NOTICE OF ALLOWANCE.**

Dear Sir:

With regard to the above-identified application, applicant petitions that (1) a notice of allowance be issued without further delay to applicant's attorney of record, pursuant to the current status of such application as displayed on PAIR, and (2) that such application's status be immediately communicated to applicant's attorney of record. Applicant further petitions that this action be taken by the Commissioner due to the inability to acquire status information after multiple telephonic requests made to the Examiner, the Examiner's supervisor, or the Commissioner's staff after applicant asked for status information.

**STATEMENT OF FACTS**

1. Applicant filed the above-identified non-provisional patent application on 2/10/01. Such application has been pending at least over 5 years.
  2. After submitting a proper amendment of the claims on 2/17/06, an allowance was counted by the Examiner on 3/20/06 and thereafter noted on PAIR. See attached Appendix A.
  3. Since 3/20/06, there has been no activity noted on PAIR. See Appendix B.
- Further, applicant's telephonic status calls to the Examiner and to the Examiner's

supervisor have not been returned. It has been at least *six months* since this application was acted on.

4. Applicant has attempted, *for several weeks* now, to get the status of the above-referenced application. Applicant has made multiple telephone calls to the Examiner, to the Examiner's supervisor, and to the Commissioner's office. The Examiner never returned our call, apparently choosing not to return our call. The Examiner's supervisor never returned our call, apparently choosing not to return our call.
5. The most recent calls, made since the week of 9/11/06, were to the Commissioner's office. The staff member at the Commissioner's office we spoke with promised to communicate to us the status of the application that same day, but reported that definitive status was not obtained.
6. As of 9/20/06, after additional telephonic calls to the Commissioner's office staff member were not returned within two days, such applicant still does not now the status of the above-identified application, and is being irreparably harmed by the unpredictability resulting from the lack of knowledge regarding the status of the above-identified application.

#### **RELIEF REQUESTED**

Applicant's application has an allowance counted pursuant to PAIR. Applicant has a right to know the status of applicant's application. Currently, the inability to predict the status of such application is irreparably harming Petitioner.

Therefore, applicant respectfully and earnestly requests that the Commissioner grant this petition under 37 CFR 1.181, issue applicant a notice of allowance without further delay, and communicate to applicant's attorney of record the status of this application.

Applicant hereby submits a petition under 37 CFR 1.181 to invoke the supervisory authority of the Commissioner. Please charge our Deposit Account No. 50-1887, referencing our Docket No. WC01520, in the amount of \$400.00 for the fee (37 C.F.R. 1.17(f)) using fee code 1462.

If appropriate and there have been errors on the part of the Patent Office, applicant respectfully requests a refund of the petition fee.

If there are any further fees necessitated by the foregoing communication please charge such fees to our Deposit Account No. 50-1887, referencing our Docket No. WC01520, or if the amount submitted herewith is greater than the amount required, please credit any overpayment to our Deposit Account No. 50-1887.

Respectfully submitted,



Date: 9/20/06

Martin L. Stoneman (18,147)  
3113 North 3rd Street  
Phoenix, AZ 85012-2601  
(602) 263-9200  
Attorney For applicant

[Cc by facsimile: Examiner, Examiner's supervisor, and Commissioner's Office]

I hereby certify that this correspondence is being transmitted, via facsimile, to the Patent and Trademark Office fax number (571)-273-8300 on 9/20/06.

Date: 9/20/06

Signature:

  
Martin L. Stoneman, Attorney For applicant

## **APPENDIX A**

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## 09/782,873 System for creating and maintaining a database of information utilizing user opinions

Application Data | Invention Data | Bibliographic Data | Status Data | Customer Data | Agency Data

### Bibliographic Data

Application Number	09/782,873	Customer Number	-
Filing or 371(c) Date	02-10-2001	Status	Allowance Counted
Application Type	Utility	Status Date	03-20-2006
Examiner Name	ALAM, SHAHID AL	Location	ELECTRONIC
Group Art Unit	2162	Location Date	-
Confirmation Number	6566	Earliest Publication No	US 2001-0047290 A1
Attorney Docket Number	WC01520	Earliest Publication Date	11-29-2001
Class / Subclass	707/003	Patent Number	-
First Named Inventor	Gregory Petras , Phoenix, AZ	Issue Date of Patent	-

Title of Invention:

System for creating and maintaining a database of information utilizing user opinions

If you need help

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the [USPTO Contact Center \(USPTO\)](mailto:USPTOContactCenter@USPTO.gov).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](mailto:ElectronicBusinessSupport@uspto.gov) or call (800) 786-9199.

## APPENDIX B



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Application Transaction History Image File Container Publication Document Database Application Database

## Transaction History

Date	Transaction Description
03-13-2006	Examiner Interview Summary Record (PTOL - 413)
05-10-2001	Information Disclosure Statement considered
03-07-2006	Date Forwarded to Examiner
02-17-2006	Response after Non-Final Action
11-18-2005	Mail Non-Final Rejection
11-14-2005	Non-Final Rejection
09-30-2005	Date Forwarded to Examiner
09-26-2005	Response to Election / Restriction Filed
08-26-2005	Mail Restriction Requirement
08-22-2005	Requirement for Restriction / Election
06-24-2005	Case Docketed to Examiner in GAU
06-23-2005	Case Docketed to Examiner in GAU
06-07-2005	Case Docketed to Examiner in GAU
06-10-2005	Case Docketed to Examiner in GAU